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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/775,232 | 01/31/2001 | Ilwhan Park | 7015-015 | 9053 |

7590

09/09/2003

LAW OFFICE OF JOHN SCHIPPER
Suite 808
111 N. Market Street
San Jose, CA 95113

EXAMINER

LAU, TUNG S

ART UNIT PAPER NUMBER

2863

DATE MAILED: 09/09/2003

Docketed

Dates: 12/9/2003
3/9/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary



Application No.

09/775,232

Applicant(s)

PARK ET AL.

Examiner

Tung S Lau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-8, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 3, 7, 8, 11, 12 is/are allowed.
- 6) ☒ Claim(s) 1 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (U.S. Patent 5,133,076) in view of Kasuga U.S. Patent 5,721,930).

Regarding claims 1 and 6:

Hawinks discloses a method and system of operating a hand held computing device, the method comprising providing a hand held computing device with an electrical power conservation system (Col. 8, Lines 42-58), with an LCD display (Col. 4, Lines 30-48), with a touch sensitive screen and with a stylus for use in entering information into the computing device through the touch screen (Col. 4, Lines 30-68);taking at least one of the following set of actions: deactivating the touch screen ; and deactivating the LCD display (Col. 8, Lines 42-46, Col. 13, Lines 55-60).

Hawinks does not the stylus is positioned in a stylus receiving receptacle provided on the device; and when the stylus is positioned within the receptacle, Kasuga discloses stylus is positioned in a stylus receiving receptacle provided on

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the device; and when the stylus is positioned within the receptacle (Col. 1-2, Lines 55-20, abstract), in order to properly restore data of the computer (Col. 2, Lines 10-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hawkins to have the stylus is positioned in a stylus receiving receptacle provided on the device; and when the stylus is positioned within the receptacle taught by Kasuga), in order to properly restore data of the computer (Col. 2, Lines 10-21).

Allowable Subject Matter

2. Claims 2, 3, 7, 8, 11 and 12 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

Independent claims 11 and 12 contain allowable subject matter. None of the prior art of record shows or fairly suggests the claimed invention.

Regarding claims 11 and 12:

The primary reason for the allowance of claims 11 and 12 are the inclusion of the method and system of operating a handheld computing device including the use of comparing mass value associated with the receptacle when the stylus is positioned

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within the receptacle. It is these features found in the claim, as they are claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes this claim allowable over the prior art.

Claims 2, 3 are allowed due to their dependency on claim 11.

Claims 7, 8 are allowed due to their dependency on claim 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

4. Applicant's arguments filed 7/17/2003 have been fully considered but they are not persuasive.

A. Applicant argues that the prior art does not show the activation/deactivation of the screen by sensing a stylus is positioned in the proper place, Hawkins and Kasuga talk about the activation/deactivation of the screen by sensing a stylus is positioned in the proper place (Hawkins Col. 4, Lines 49-67, Col. 8, Lines 42-46, Kasuga Col. 1-2, Lines 65-45, abstract).

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Remind to the applicant that it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Ex parte Masham, 2 USPQ2d-1647 (1987). This case Hawkins and Kasuga combination disclose the limitation of using an external apparatus to enable/disable the power function mode (Hawkins Col. 4, Lines 49-67, Col. 8, Lines 42-46, Kasuga Col. 1-2, Lines 65-45, abstract).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 703-305-3309.

The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

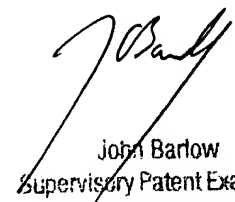
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TC2800 FAX Telephone Numbers: 703-872-9306

TC2800 Customer Service FAX - (703) 872-9317

TL

September 4, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800